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15 *Attorneys for Plaintiffs*
16 *Colleen Jaeger and William Jaeger*

17 UNITED STATES DISTRICT COURT

18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 SAN FRANCISCO DIVISION

20 COLLEEN JAEGER, et al.,

21 Plaintiffs,

22 v.

23 HOWMEDICA OSTEONICS CORP.,

24 Defendant.

25 Civil Action No.: 15-cv-00164-HSG

26 **UNOPPOSED MOTION TO APPEAR
27 TELEPHONICALLY AT CASE
MANAGEMENT CONFERENCE**

28 **AND [PROPOSED] ORDER**

19 Plaintiffs Colleen Jaeger and William Jaeger, by their undersigned counsel, respectfully
20 request the Court allow their national counsel, James G. O'Brien, to appear telephonically at the
21 upcoming Case Management Conference:

- 22 1. This case is one of nine involving the medical device known as "CerviCore" that were
23 originally filed on a consolidated action but were since transferred to seven districts. Ms.
24 Jaeger's case is the only CerviCore case pending in the Northern District of California.
25 2. Attorney James G. O'Brien is lead national plaintiffs' counsel on all filed CerviCore
26 cases. Mr. O'Brien resides in and works in Ohio.
27 3. Mr. O'Brien and Paul Asfendis, national defense counsel for Howmedica, communicate
28

1 almost daily on issues related to CerviCore cases, including this case.

- 2
- 3 4. The Court set a CMC for April 21, 2015 at 2:00 p.m.
- 5 5. Plaintiffs' counsel and Defendant's counsel have a discovery dispute hearing in a related
- 6 CerviCore case on April 21 at 11 a.m. (Central) in the Southern District of Illinois. That
- 7 Court has indicated it will allow telephonic attendance, but counsel have not finalized
- 8 their plans on whether to attend telephonically or in person.
- 9 6. In this case, Defendant filed a motion (in which Plaintiffs joined) asking the Court to
- 10 reschedule the April 21 CMC. (Doc. 46.)
- 11 7. Defendant also filed a motion to appear telephonically to which Plaintiffs have no
- 12 objection (Doc. 47.)
- 13 8. Plaintiffs' San Francisco-based counsel, Lori E. Andrus, will attend the CMC in person,
- 14 whether on April 21 or, if the Court reschedules, on another date.
- 15 9. Plaintiffs' counsel consulted with Defendant's counsel and Defendant does not object to
- 16 Plaintiffs' counsel attending the CMC telephonically.

17 **WHEREFORE**, Plaintiffs request the Court permit counsel James G. O'Brien to attend

18 the Case Management Conference—whether as originally scheduled or on another date—

19 telephonically.

20 DATE: April 15, 2015

ZOLL, KRANZ & BORGESS, LLC

21 By: /s/ James G. O'Brien
James G. O'Brien

22 James G. O'Brien (*pro hac vice*)
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24 Attorney for Plaintiffs
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ORDER

The Court, having reviewed Plaintiffs' request to allow counsel James G. O'Brien to attend telephonically, and finding GOOD CAUSE, GRANTS the Motion. Counsel shall contact CourtCall at (866) 582-6878 to make arrangements for the telephonic appearance.

Dated: 4/16/2015


Hon. Hayward S. Gilliam, Jr.
United States District Judge